

CALIFORNIA HORSE RACING BOARD
1010 HURLEY WAY, SUITE 300
SACRAMENTO, CA 95825
(916) 263-6000
FAX (916) 263-6042



CAL-EXPO HARNESS ASSOCIATION

**TO THE CALIFORNIA HORSE RACING BOARD
HONORABLE ARNOLD SCHWARZENEGGER, GOVERNOR**

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RICHARD "BON" SMITH, ASSISTANT EXECUTIVE DIRECTOR**

Proceedings of the Board of Stewards for the period of Monday, October 27, 2008 through Sunday, November 02, 2008. Steward Michael W. "Wayne" Oke was the Reporting and Duty Steward for the enclosed period.

Monday

10/27/08 (1) Entries/Draw for Thursday 10/30/08

Entries were taken and a draw held for Thursday's program. At the 12:30 p.m. draw, ninety six (96) head drew to race in twelve (12) events. Scratch time will be tomorrow at 9:00 a.m.

10/27/08 (2) Dark Day

Tuesday

10/28/08 (1) Scratch Time for Thursday 10/30/08

At scratch time there were five (5) driver changes and one (1) first time lasix notation.

10/28/08 (2) Entries & Draw for Friday 10/31/08

Entries were taken and a draw held for Friday's program. At the 12:15 p.m. draw one hundred nineteen (119) head drew to compete in fifteen (15) races. Scratch time will be tomorrow at 9:00 a.m.

10/28/08 (3) Dark Day

Wednesday

10/29/08 (1)

Scratch Time for Friday 10/31/08

At scratch time there were eleven (11) driver changes only.

10/29/08 (2)

Entries & Draw for Saturday 11/01/08

Entries were taken and a draw held for Saturday's program. At the 11:15 a.m. draw one hundred thirty (130) head were drawn to race in the fifteen (15) race regular program. Additionally, five (5) head of Cal Sired 2 year old trotting colts and geldings were drawn to race in an early non-betting event. Scratch time is tomorrow at 9:00 a.m.

10/29/08 (3)

Weekend Sire Stake Action

On Friday's program, the second race will feature seven (7) Cal Sired 2 year old trotting fillies competing for a purse of Fifteen Thousand (\$15,000) Dollars.

The eighth race on this same program will feature twelve (12) 2 year old pacing fillies competing in a Cal Sires elimination event for a purse of Six Thousand (\$6,000) Dollars. The top ten (10) finishers in this event will come back for the final next week, with a purse of Fifteen Thousand (\$15,000) Dollars.

Saturday's card has an early non-betting race with five (5) two year old Cal-Sired colt and gelding trotters competing for a Fifteen Thousand (\$15,000) Dollar purse. Plus the eighth race on the card has ten (10) two year old Cal-Sired colt and gelding pacers also competing for a Fifteen Thousand (\$15,000) Dollar purse.

10/29/08 (4)

Dark Day**Thursday**

10/30/08 (1)

Scratch Time for Saturday 11/01/08

At scratch time there were thirty four (34) driver changes, one (1) claiming price correction, and one (1) injured scratch.

10/30/08 (2)

Qualifying Entries

Entries were accepted and a sheet produced for five (5) qualifying races with thirty (30) participants. These races to be conducted today with a first post of 4:00 p.m.

10/30/08 (5)

Qualifying Races

Five (5) qualifying races were held starting at 4:00 p.m. under the supervision of Stewards Baker and McLaren. In these events, twenty (20) head out of a total of thirty (30) participants were successful in their qualifying efforts.

10/30/08 (6)

Field Size

The stewards were notified that effective with the draw of Monday November 03, 2008, the field size for all overnight events will be reduced to nine (9). This change in anticipation of the inevitable inclement weather

and the result of an agreement between Cal-Expo management and the CHHA. The return of nice weather (April) will see a return to ten (10) horse fields.

10/30/08 (7) **James Lackey – Film Review**

Driver James Lackey attended with the stewards to review his drive on #1 “JD’s Awesome Al” in the first race on Friday, October 24, 2008. Driver Lackey concurred with the steward’s decision, thus the following ruling was issued:

Ruling # 32

Driver James Lackey, Who Drove “JD’s Awesom Al” in the First Race on Friday, October 24, 2008, is hereby fined the sum of Two Hundred Dollars (\$200) for violation of California Horse Racing Board Rule #1721 (F) (Driving Rules – Pulled Late – Carry a Horse Out) Resulting in a Disqualification.

10/30/08 (8) **Inclement Weather**

The race track was listed as ‘good’ for the first two races after which the track was listed as ‘sloppy’ and mud fenders required for the remainder of the card.

10/30/08 (9) **Third Race – Driver Sanction**

At the conclusion of Race #3, the stewards contacted Driver Gene Vallandingham (#3 “Big Gun”), the wagering second choice who was 5 -6 lengths off the gate at the start. This was the second (2nd) consecutive violation of this nature with this same horse and driver combination. The stewards were of the unanimous opinion that despite the adverse weather conditions, a sanction was in order, thus the following ruling was issued:

Ruling # 33

Driver Gene Vallandingham, who drove “Big Gun” in the Third Race at Cal-Expo on Thursday, October 30, 2008, is hereby fined the sum of One Hundred (\$100) Dollars for violation of California Horse Racing Board Rule #1731(G) (Starting Rules – Failure to Come Up into Position).

10/30/08 (10) **Adverse Weather Conditions – Vision Problems**

At the conclusion of Race #5, the stewards were contacted by Drivers Rick Plano and Gene Vallandingham, complaining of problems seeing owing to extremely heavy rain and very sloppy track conditions. In light of these facts, the stewards unanimously decided to allow track condition scratches and driver changes in the interest of safety.

10/30/08 (10) **Sixth Race – Inquiry/No Change**

At the conclusion of Race #5, the stewards lit the inquiry sign to investigate the action of second (2nd) place finisher #3 “Stu On Top” (Lou Pena), who made a break approaching the 3/4 mile marker. After viewing films, the stewards unanimously concluded that #3 had complied with the ‘breaking rule’, thus no change.

10/30/08 (11) **Program Changes**

- 1st Race Program Correction - #5 "Texas Glitter"
Should Read "First Time Lasix"
- 4th Race Declaration- #4 "Bronte Anas Boy" – Trainer Lou Pena
Refund: \$3 Injured – Dr. Goodbary
- 6th Race Driver Change - #7 "Andover Victory"
Steve Wiseman for Programmed Driver Rick Plano
- 7th Race Driver Change - #10 "Shalana"
Steve Wiseman for Programmed Driver Rick Plano
- 8th Race Declaration - #6 "Western Babe" – Trainer Rick Plano
Refund: \$21 Stewards – Track Condition
- 9th Race Driver Change - #6 "Cherry Tree Blue"
Rick Wojcio for Programmed Driver Rick Plano
- 10th Race Declaration - #6 "McKenna Queen" – Trainer Gene Vallandingham
Refund: \$0 Stewards – Track Condition
- 10th Race Driver Change - #2 "Little Tysheka"
Rocky Stidham for Programmed Driver Rick Plano
- 11th Race Program Correction - #1 "Sadies Desert Fox"
Should Read "Jill Wine – Lessee"
- 11th Race Driver Change - #3 "Must Be a Sadie"
Etienne Desomer for Programmed Driver Rick Plano
- 12th Race Driver Change - #2 "Look Left N"
Steve Wiseman for Programmed Driver Rick Plano

10/30/08 (12) **Attendance and Handle**

Attendance	245
Live Handle (On Track)	\$33,408
Handle (In State)	\$263,214
<u>Handle (Out of State)</u>	<u>\$195,056</u>
Total Handle	\$491,678

Friday

10/31/08 (1) **Meeting – General Manager D. Elliott/Driver Luke Plano**

Cal-Expo General Manager Dave Elliott and Driver Luke Plano met with the stewards to discuss Driver Plano's drive on #2 "Frank's Magic", the race winner in the seventh race on Saturday, October 25, 2008.

Those in attendance viewed film of the race in question and heard Driver Plano's explanation of his actions during the event. The stewards also discussed their position on what occurred during the race and also explained that the horse was examined by State Veterinarian Dr. Robert Goodbary and found to be 'unmarked'.

Mr. Elliott expressed satisfaction with the explanations put forth and the meeting concluded.

10/31/08 (2) **Informal Hearing – Owner/Trainer Harris Levin**

Owner/Trainer Harris Levin met with the stewards to explain his absence from the paddock last evening when his horse "Little Tysheka" was

scheduled to compete in Race #10. An absence exacerbated by the need for a late driver change.

Trainer Levin has been admonished for several previous violations of this requirement. Trainer Levin's explanation was not acceptable to the stewards, thus the following ruling was issued:

Ruling # 34

Trainer Harris Levin, who started "Little Tysheka" in the Tenth Race at Cal-Expo on Thursday, October 30, 2008, is hereby fined the sum of One Hundred (\$100) Dollars for violation of California Horse Racing Board Rule #1894 (Duties of Trainer – Failure to be Present in Paddock).

10/31/08 (3) **First Race – Claim**

#3 "Falcon Forte N" was claimed by Owen Eiler, Jr. from Gerard Guagliardo for Three Thousand (\$3,000) Dollars. The new trainer will be Frank Petrelli.

10/31/08 (4) **Seventh Race – Inquiry/Disqualification**

The stewards lit the inquiry sign at the conclusion of Race #7 to investigate an incident approaching the 1/2 mile pole when the race leader, #5 "My Fanny" (Luke Plano), broke stride and appeared to compromise the trailing horses. After viewing the films, the stewards concluded that #5 had interfered with #1 "Little Bit Country" (Steven Hyman), #2 "Wooski" (Richard Wojcio), and #3 "Reno Rose" (James Lackey), thus #5, who finished second (2nd) was placed seventh (7th) for 'interference while on a break'. Driver Luke Plano was held blameless in the incident.

Original order of finish: 3-5-6-7-2-4-1

Official order of finish: 3-6-7-2-4-1-5

10/31/08 (5) **Track Condition**

At the conclusion of Race #9, the track condition was downgraded to 'good' and mud fenders were required on all sulkies.

10/31/08 (6) **Track Condition**

At the conclusion of Race #11, the stewards downgraded the track condition to 'sloppy' and continued the use of 'mud fenders'.

10/31/08 (7) **Thirteenth Race – Inquiry/Disqualification**

At the conclusion of Race #13, the stewards briefly flashed the 'inquiry' sign to investigate an incident in mid-stretch when sixth (6th) place finisher #5 "Four Starz Bambino" (Richard Wojcio) broke stride and continued offstride past the wire. #5 finished sixth (6th) and was placed seventh (7th) for violation of the 'breaking rule'.

Original order of finish: 7-6-8-2-4-5-1-3

Official order of finish: 7-6-8-2-4-1-5-3

10/31/08 (8) **Purse Cut**

In a meeting in the steward's office earlier in the day, Cal Expo General Manager Dave Elliott indicated there would be an immediate purse cut of up to 20% (actually it was 15%) to take effect immediately. Cal Expo profited in the amount of 1.45 million during the first four (4) months of operation prior to the State Fair break.

10/31/08 (9) **Program Changes**

2nd Race Program Correction - #2 "Lady Tiffany"

Program should read "No Hobbles"

10th Race Declaration - #7 "Meringue" – Trainer Hans Rynningen

Refund: \$1 Injured – Dr. Goodbary

11th Race Declaration - #8 "Mattreality" – Trainer – Bruce Clarke

Refund: \$0 Injured – Dr. Goodbary

14th Race Declaration - #9 "Big Hi Ho" – Trainer Earl Kennedy

Refund: \$1 Injured – Dr. Goodbary

10/31/08 (10) **Attendance and Handle**

Attendance	245
Live Handle (On Track)	\$37,283
Handle (In State)	\$517,108
<u>Handle (Out of State)</u>	<u>\$330,415</u>
Total Handle	\$884,806

Saturday11/01/08 (1) **Weather/Track Condition**

Today's program began with extremely trying weather and track conditions. The track was listed as 'sloppy' and mud fenders were required.

11/01/08 (2) **Non-Betting Event/Inquiry**

At the conclusion of the non-betting even for 2 year old colt and gelding trotters, the stewards posted the 'inquiry' sign to investigate the many 'breakers' in the contest. After viewing film, the stewards unanimously concluded that all participants had complied with the breaking rule, thus no change. Ironically, the only horse not to break stride was #3 "Try This (Gilbert Garcia-Herrera), who was the eventual race winner.

11/01/08 (3) **Fourth Race – Inquiry/No Change**

The stewards briefly posted the 'inquiry' sign to investigate an incident past the 1/4 mile marker when the second (2nd) place finisher #4 "Marinodotcomattack" (Harold Herrera) broke stride. After reviewing films, the stewards unanimously concluded that #4 had complied with the breaking rule, thus no change.

11/01/08 (4) **Eighth Race – Inquiry/No Change**

The 'inquiry' sign was posted as the conclusion of Race #8 to investigate an incident that occurred approaching the 1/4 mile marker, when the race leader, #3 "Pacinello" (Luke Plano), the eventual second (2nd) place finisher, made a break and reacted rather 'greenly'. However, the horses immediately behind #3 were able to continue on without incident with the

exception of #2A “So Not Over” (Rocky Stidham), who made a break at the same point. After viewing films and talking to the drivers involved, the stewards, by majority, vote (Steward McLaren dissenting) concluded that there was no rule violation, thus no change.

11/01/08 (5) **Photo Finish/Timer/Facilities**

The meet’s first inclement weather brought about some problems with the facility in terms of a leaky roof.

Also, while Cal-Expo management has been diligent in attempting to correct problems with the photo finish lighting, the problem, while somewhat improved in good weather, appears to be worse in wet weather. As the moisture level increases, the glare from the brighter lights compromises the photo finish and makes the resulting photos very difficult to read. Management has been made aware of the problem. Steward Brent McLaren is monitoring the situation on behalf of the Board of Stewards.

The timer continues to have intermittent problems. The problem and the ‘fix’ are supposedly known to management, however to date the situation still exists. It appears to the Board of Stewards that Cal-Expo management does not consider this problem as serious as does the Board of Stewards.

11/01/08 (6) **Qualified Horses Not Racing**

According to information supplied by the race office, twenty one (21) horses entered to race were not afforded the opportunity, owing to a lack of racing opportunities. A result of three (3) days of racing.

11/01/08 (7) **Program Changes**

4th Race Declaration - #7 “Fich Inter Letrado” – Trainer Lisa Van Tassel

Refund: \$16 Stewards – Track Condition

5th Race Declaration - #6 “Gracefully Sylin” – Trainer Rick Cisco

Refund: \$6 Stewards – Track Condition

5th Race Declaration - #8 “Take No Prisoners” – Trainer Edgar Clarke

Refund: \$5 Injured – Dr. Goodbary

6th Race Declaration - #3 “Rompaway Vincent” – Trainer Brian Marchand

Refund: \$1 Sick – Dr. Goodbary

6th Race Declaration - #7 “Edgar Allen Coe” – Trainer Rick Cisco

Refund: \$1 Stewards – Track Condition

7th Race Declaration - #5 “Loaded Paradise” – Trainer James Wilkinson

Refund: \$17 Injured – Dr. Goodbary

9th Race Program Correction - #4 “Derek Bromac N”

Should Read “First Time Lasix”

10th Race Declaration - #3 “Myson Dylan N” – Trainer Edgar Clarke

Refund: \$246 Injured – Dr. Goodbary

12th Race Declaration - #3 “Money Market” – Trainer Nathalie Tremblay

Refund: \$4 Stewards – Track Condition

12th Race Declaration - #4 “Hard On The Heart” – Trainer Tom Wine II

Refund: \$4 Stewards – Track Condition

12th Race Declaration - #9 “Mac’s Derrick T” – Trainer Frank Petrelli

Refund: \$4 Stewards – Track Condition

13th Race Declaration - #8 "Trishie Mae" – Trainer Tim Clevenger
 Refund: \$13 Stewards – Track Condition
 14th Race Declaration - #8 "Blissful Kassie" – Trainer Frank Petrelli
 Refund: \$11 Sick – Dr. Goodbary
 14th Race Declaration - #9 "Doit By The Clock" – Trainer Frank Petrelli
 Refund: \$10 Stewards – Track Condition

11/01/08 (8) **Attendance and Handle**
 Attendance 358
 Live Handle (On Track) \$63,146
 Handle (In State) \$564,007
Handle (Out of State) \$308,943
 Total Handle \$936,096

RULINGS ISSUED THIS WEEK

- 10/31/08 32 Driver James Lackey, Who Drove "JD's Awesom AI" in the First Race on Friday, October 24, 2008, is hereby fined the sum of Two Hundred Dollars (\$200) for violation of California Horse Racing Board Rule #1721 (F) (Driving Rules – Pulled Late – Carry a Horse Out) Resulting in a Disqualification.
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- 10/31/08 34 Trainer Harris Levin, who started "Little Tysheka" in the Tenth Race at Cal-Expo on Thursday, October 30, 2008, is hereby fined the sum of One Hundred (\$100) Dollars for violation of California Horse Racing Board Rule #1894 (Duties of Trainer – Failure to be Present in Paddock).
- 11/01/08 35 In the matter of unlicensed Owner William Bruce Famularo, having now contacted the California Horse Racing Board and the matter having been reviewed, Cal Expo Harness (Ruling #35 – Failure To Appear) dated June 30, 1989, is hereby set aside. William Bruce Famularo is now eligible to apply for re-licensing.

W E E K L Y S U M M A R Y

ATTENDANCE REPORT - The full Board of Stewards was in session each day during this reporting period for both morning business and the afternoon racing program.

VETERINARIAN RECOMMENDED SCRATCHES

Date	Race	No.	Horse	Trainer	Reason	Vet	Refund
30-Oct	4	4	BRONTE ANAS BOY	PENA	Injured	Goodbary	\$3.00
31-Oct	10	7	MERINGUE	RYNNINGEN	Injured	Goodbary	\$1.00
	11	8	MATTREALITY	CLARKE	Injured	Goodbary	\$0.00
	14	9	BIG HI HO	KENNEDY	Injured	Goodbary	\$1.00
1-Nov	5	8	TAKE NO PRISONERS	CLARKE	Injured	Goodbary	\$5.00
	6	3	ROMPAWAY VINCENT	MARCHAND	Sick	Goodbary	\$1.00
	7	5	LOADED PARADISE	WILKINSON	Injured	Goodbary	\$17.00
	10	3	MYSON DYLAN N	CLARKE	Injured	Goodbary	\$246.00
	14	8	BLISSFUL KASSIE	PETRELLI	Sick	Goodbary	\$11.00

WEEKLY HANDLE SUMMARY FOR SATELLITE FACILITIES

Bakersfield	\$	9,133.00
Fresno Club One	\$	5,211.90
Golden Gate	\$	57,711.30
Monterey	\$	10,698.80
Pleasanton	\$	37,712.80
Sacramento	\$	106,941.90
San Jose	\$	49,794.50
San Mateo	\$	86,251.80
Santa Rosa	\$	12,326.70
Stockton	\$	27,134.40
Tulare	\$	633.30
Vallejo	\$	23,890.50
Racing Fairs	\$	-
Out of State	\$	834,414.01

**CAL-EXPO HARNESS ASSOCIATION
SUMMARY
2008**

	Mon 10/27	Tues 10/28	Wed 10/29	Thurs 10/30	Fri 10/31	Sat 11/01	Total Week	Total Meet
Accidents	D	D	D	0	0	0	0	1
Cal-Bred Races	A	A	A	0	2	2	4	4
Claims	R	R	R	0	1	0	1	12
Disqualifications	K	K	K	0	1	0	1	14
Inquiries	D	D	D	1	1	2	4	29
Refunds	A	A	A	2	2	13	17	54
Rulings	Y	Y	Y	0	3	1	4	35

Stewards Attendance: Stewards Oke, Baker and McLaren were in attendance.

All drivers submitted to a breath analyzer test.

Michael W. "Wayne" Oke, Steward

Grant Baker, Steward

Brent McLaren, Steward